

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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BNP PARIBAS MORTGAGE  
CORPORATION

Plaintiff,

Civil Action No. 09-cv-9783-RWS

-against-

BANK OF AMERICA, N.A.,

**NOTICE OF MOTION**

Defendant.  
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PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Bank of America's Motions to Dismiss submitted herewith, the accompanying Declaration of Richard St. John of February 3, 2010, and the exhibits thereto, defendant Bank of America, N.A. will move this Court, located at 500 Pearl Street, New York, New York, on March 24, 2010, at 12:00 noon, or as soon thereafter as counsel may be heard, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the complaint in this action with prejudice.

Dated: February 4, 2010  
New York, New York

Respectfully submitted,

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